

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STATE OF NEW YORK, et al.,

Plaintiffs,

- against -

DEUTSCHE TELEKOM AG, et al.,

Defendants.
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19 Civ. 5434 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

On February 11, 2020, defendants Deutsche Telekom AG, T-Mobile US, Inc., Softbank Group Corp., and Sprint Corporation (collectively, "Defendants") moved to seal various exhibits admitted in the trial of this action, either in whole or in part, from the public record. (See Dkt. No. 411.) Non-parties DISH Network Corporation and Comcast Corporation subsequently filed motions to seal certain trial exhibits containing their confidential information from the public record on February 19, 2020 and February 21, 2020, respectively. (See Dkt. Nos. 412, 413.) Local Civil Rule 39.1 of the United States District Courts for the Southern and Eastern Districts of New York provides that "[u]nless the Court orders otherwise, trial and hearing exhibits shall not be filed with the Clerk [of Court], but shall be retained in the custody of the respective attorneys who produced them in court." See also Gasperini v. Ctr. for Humanities, Inc., 972 F. Supp. 765, 772 n.4 (S.D.N.Y. 1997), vacated and remanded on other grounds, 149 F.3d 137 (2d Cir. 1998) (noting that "trial exhibits are not filed with the Clerk

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of Court" as a general matter). As the Court has not ordered that the exhibits admitted at trial be filed with the Clerk of Court or otherwise made public, the Court accordingly denies the motions to seal by Defendants, DISH Network Corporation, and Comcast Corporation (Dkt. Nos. 411-413) as moot at this time.

SO ORDERED.

Dated: New York, New York
24 February 2020



VICTOR MARRERO
U.S.D.J.